BACHMAN & LaPOINTE, P.C.

REGISTERED PATENT ATTORNEYS
SPECIALIZING IN INTELLECTUAL PROPERTY

SUITE 1201 900 CHAPEL STREET NEW HAVEN, CONNECTICUT 06510-2802

GREGORY P. LAPOINTE
BARRY L. KELMACHTER (ALSO NY BAR)
GEORGE A. COURY (ALSO NY BAR)
WILLIAM B. SLATE (ALSO CA AND DC BARS)
ROSS J. CHRISTIE (ALSO NY BAR)
TIMOTHY J. LUBECKI (ONLY PA BAR)

TELEPHONE (203) 777-6628 FAX (203) 865-0297 (203) 789-0582

FAX

TO: Harry Horton	FROM: Barry L. Kelmachter
FAX NO.: 571-273-4617	DATE: August 5, 2006
YOUR REF.: Serial No. 10/687,228	OUR REF.: 02-200-2
P	GES: 4
(includ	g this sheet)
□via Fax and M	I 図 via Fax only

* Comments:

Dear Mr. Horton:

As requested in your e-mail of August 4, 1006, attached please find the revised appendices to our Appeal Brief received by the USPTO on September 12, 2005 in connection with Serial No. 10/687,228.

Please let me know if you require anything further.

Best regards, Barry L. Kelmachter



Please acknowledge receipt of this letter by telephone or fax and advise us if any pages are not readily legible or have not been received.

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying is strictly prohibited and may be unlawful. If you have received this communication in error, please notify us immediately and destroy this transmittal.

BACHMAN & LAPOINTE, P.C.

TELEPHONE: (203) 777-6628

FAX: (203) 865-0297

Docket

From: Sent: Horton, Harry [Harry.Horton@USPTO.GOV]

Friday, August 04, 2006 12:39 PM

To:

docket@bachlap.com

Subject:

10/687,228

Importance:

High

I'm emailing from the Board of Patent Appeals and Interferences in regards to S.N. 10/687,228 Attorney Docket No. 02-200-2. The appendices submitted with your Appeal Brief received at the USPTO on 9/12/05 are not sufficient, with regards to 37 CFR § 41.37(c)(1)(ix) and 37 CFR § 41.37(c)(1)(x). They need to be reworded to state that they are the —Evidence Appendix— and the --Related Proceedings Appendix—.

Can you please re-submit those two headings to me via facsimile at your earliest convenience? Just two plain sheets of paper with the above designated headings to attach to your Brief for the Official record to reflect that the Brief is in compliance with 37 CFR § 41.37.

You can fax them to my attention at:

(571) 273-4617.

Thank you

Harry Horton, Paralegal Specialist 571 272-4617(Office)

A.; :

Appl. No. 10/687,228 Appeal Brief dated Sept. 9, 2005 Docket No.: 02-200-2

EVIDENCE - APPENDIX B

NOT APPLICABLE

Appl. No. 10/687,228 Appeal Brief dated Sept. 9, 2005 Docket No.: 02-200-2

• •

RELATED PROCEEDINGS - APPENDIX C